IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 411 OF 2003

SHRI RAMESH M. TALWADKAR AND 3 ANR., ...Petitioners

Versus

ANTONIO GAUNKAR AND ANR., ...Respondents

Mr. M.S. Usgaonkar, Sr. Advocate with Mr.Iftikhar Aga, for the Petitioners.

Mr. R. G. Ramani Advocate For Respondent No. 2

Coram:- DR. S. RADHAKRISHNAN, J.

Date:- 4th October, 2006

P.C.:

Heard the learned Counsel for the Petitioners and the respondent.

During the pendency of the petition, the following interim relief has been continued in terms of prayer clause (b) which reads as under :-

" b) That pending the hearing and final disposal of the present Writ Petition, Temporary injunction be granted restraining the respondents, their agents, servants, relatives, representatives or any person/persons claiming through or under them from doing/carrying any construction in the suit property and/or from interfering in the suit property or any part thereof in whatsoever manner. "

Both the learned Counsel for the Petitioners and the Respondent are agreeable if the Regular Civil Suit No.44/2001/C pending before the learned Civil Judge J.D., Ponda is expedited.

Having regard to the facts and circumstances of the case, hearing of the

Regular Civil Suit No.44/01/C pending before the learned C.J.J.D., Ponda is expedited. During the pendency of the above suit, the abovementioned interim relief granted by this Court in terms of prayer clause (b) to continue.

In the event the records and proceedings were to have been called by this Court, the same shall be returned forthwith by the office back to the learned Civil Judge. J.D., Ponda so as to enable the learned Judge to expeditiously dispose of the above suit preferably within a period of one year from today. The records possibly might have been called by this Court in Civil Revision Application No.150/02.

Writ Petition stands disposed of.

DR. S. RADHAKRISHNAN, J.

sl.